

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, et. al.,)	
)	
Plaintiffs,)	
)	CIVIL ACTION FILE
v.)	
)	NO: 1:17-cv-2989-AT
BRAD RAFFENSPERGER, et. al.,)	
)	
Defendants.)	
_____)	

**STATE DEFENDANTS' MOTION FOR USE OF
ELECTRONIC EQUIPMENT**

State Defendants respectfully move this Court for entry of an Order authorizing the use of electronic equipment during the upcoming hearing on Plaintiffs' Motions for Preliminary Injunction on July 25-26, 2019, including:

- One laptop computer with power cords;
- One or more extensions cords;
- One or more HDMI and/or Audio-Visual cords;
- One internet hot spot device;
- One projector and screen;
- One Direct Record Electronic Voting Machine ("DRE")

Such equipment will assist State Defendants in presenting necessary evidence during the hearing including, but not limited to, the testimony of State Defendants' expert Dr. Michael Shamos by video teleconference. As the Court is aware, Dr. Shamos is unavailable to appear before the Court in person due to a

previously-scheduled vacation with his grandchildren. He is available to testify by video teleconference on July 26, 2019. See Fed. R. Civ. P. 43(a) (where appropriate, “the court may permit testimony in open court by contemporaneous transmission from a different location.”); see also, e.g., Stewart v. M.D.F., Inc., 83 F.3d 247, 251 (8th Cir. 1996) (“[Fed. R. Civ. P. 43] invests the district court with considerable discretion to tailor the proceedings to the practical realities surrounding the particular motion.”).

State Defendants submit that good cause exists to grant this Motion and requests that this authorization extend through completion of the hearing, at the Court’s discretion. A proposed order is attached hereto as Exhibit A.

Submitted this 22nd day of July, 2019.

/s/ Vincent R. Russo

Vincent R. Russo

Georgia Bar No. 242628

vrusso@robbinsfirm.com

Josh Belinfante

Georgia Bar No. 047399

jbelinfante@robbinsfirm.com

Carey A. Miller

Georgia Bar No. 976240

cmiller@robbinsfirm.com

Kimberly Anderson

Georgia Bar No. 602807

kanderson@robbinsfirm.com

Alexander Denton

Georgia Bar No. 660632

adenton@robbinsfirm.com

Brian E. Lake
Georgia Bar No. 575966
blake@robbsfirm.com
Robbins Ross Alloy Belinfante Littlefield LLC
500 14th Street, N.W.
Atlanta, Georgia 30318
Telephone: (678) 701-9381
Facsimile: (404) 856-3250

Bryan P. Tyson
Georgia Bar No. 515411
btyson@taylorenghish.com
Bryan F. Jacoutot
Georgia Bar No. 668272
bjacoutot@taylorenghish.com
TAYLOR ENGLISH DUMA LLP
1600 Parkwood Circle
Suite 200
Atlanta, GA 30339
Telephone: (678)336-7249

Counsel for State Defendants

CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1(D), the undersigned hereby certifies that the foregoing
STATE DEFENDANTS' MOTION FOR USE OF ELECTRONIC EQUIPMENT
has been prepared in Times New Roman, 14 pt., a font and type selection approved
by the Court in L.R. 5.1(B).

/s/ Vincent R. Russo

Vincent R. Russo

GA Bar No. 242628

CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing **STATE DEFENDANTS' MOTION FOR USE OF ELECTRONIC EQUIPMENT** with the Clerk of Court using the CM/ECF system, which will automatically send counsel of record e-mail notification of such filing:

This 22nd day of July, 2019

/s/ Vincent R. Russo
Vincent R. Russo